

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RICHARD B. KELLY,

Plaintiff,

V.

JACOB NULL,

Defendant.

)
)
)
)
)
)
)
)
)

Civil No. **08-322-GPM**

ORDER

PROUD, Magistrate Judge:

Before the Court is “Plaintiff’s Objection to Defendants [sic] Objection to Plaintiff Request for Admission.” (**Doc. 41**). Plaintiff indicates that he is willing to rewrite the requests. Defendant Powers objected that plaintiff’s request for admission was very difficult to read, but indicated he would attempt to answer to the best of his ability. (**Doc. 32**). Defendant subsequently filed a motion to strike plaintiff’s objection, essentially because it is not a motion. (**Doc. 44**). In turn, plaintiff has filed a motion regarding the sufficiency of defendant Power’s objection to plaintiff’s request for admission.

With some effort the Court is able to read the faintly written original version of plaintiff’s request for admission. (**Doc. 30**). If the version sent to defendant Powers is the same, or more faint than the original, Powers’ trepidation is understandable. Nevertheless, defendant Powers did not move to strike the request for admission, but does state that he has no objection to plaintiff submitting a more legible copy.

IT IS THEREFORE ORDERED that plaintiff’s objection (**Doc. 41**) is **DENIED**;

defendant Powers' motion to strike (**Doc. 44**) is **DENIED**; and plaintiff's motion regarding the sufficiency of the defendant's objection (**Doc. 42**) is **DENIED**. Plaintiff may, but is not required to send defendant Powers a better (verbatim) copy of his request for admission.

IT IS FURTHER ORDERED that, in an effort to compensate for delays caused by the seemingly endless disputes about plaintiff's writing utensil, defendant Powers shall have through **April 1, 2009**, to respond to plaintiff's request for admission.

IT IS SO ORDERED.

DATED: March 5, 2009

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE